

Applicants elect, with traverse, Group I, Claims 1-2 and 14-15, for further prosecution.

Applicants traverse the Restriction Requirement on the grounds that the laminated body of Group II is made by the process of Group III, and as such these groups should not be separated. In addition, the polymeric material of Group I is a component of the printing plate of Group IV, and therefore these groups should not be separated.

The Office has characterized the inventions of Group I and Group II as related as combination and subcombination. Citing MPEP §806.05(c) the Office suggests that the “the combination as claimed does not require the particulars of the subcombination as claimed because the combination can use any crosslinked polymer to make the claimed laminated body. The subcombination has separate utility such as a material useful in construction of images or patterns and in the construction of liquid crystal devices and semiconductors”. However, the Office has not provided sufficient reasons and/or examples to support this assertion. The Office has merely stated the conclusion. Accordingly, the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Accordingly, Applicants respectfully submit that the Restriction Requirement should be withdrawn.

In regard to Groups I and III and Groups I and IV, the Office has characterized the relationship between these groups as product and process of use. Citing MPEP §806.05(h), the Office concludes that the product as claimed can be used in a materially different process of using the product such as in the “formation of images or patterns and in the construction of liquid crystal devices and semiconductors”. However, the Office has not provided reasons and/or examples to support this conclusion. Further, the Office has failed to show that the proposed process is materially different from the claimed process. Accordingly, Applicants respectfully submit that the Office has failed to meet the burden necessary in order to sustain

the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

In regard to Groups II and III, the Office has characterized the relationship between these two groups as "process of making and product made." Citing MPEP §806.05(f), the Office suggests the process as claimed can be used to make another and materially different product such as a "photoresist image or pattern". However, Applicants submit that the product of Group II *is* made by the process of Group III. Moreover, there is no evidence of record to show that the claimed processes could be used to make the products as the Office has alleged. If, in fact, the claimed processes can be used to make the alleged products, the Office has failed to show that the alleged products are materially different from the claimed products. Accordingly, Applicants respectfully submit that the Restriction Requirement is unsustainable, and it should therefore be withdrawn.

The Office has characterized the inventions of Groups II and V as mutually exclusive species in an intermediate-final product relationship. Citing MPEP §806.04(b), third paragraph, the Office states that the intermediate product is useful "in the construction of liquid crystal devices and semiconductors." The Office furthermore cites MPEP §806.04(h) in support of its assertion that the inventions are deemed patentably distinct on the ground that there is nothing on record to show them to be obvious variants. Applicants respectfully traverse the Restriction Requirement on the grounds that there is no evidence of record to conclude that the intermediate products are useful as the Office has suggested. Moreover, Applicants respectfully submit that the burden is on the Office to provide reasons to conclude that the inventions are patentably distinct, and is not on the Applicants to establish that they are not. Accordingly, the Restriction Requirement is believed to be improper, and it should be withdrawn.

Citing MPEP §806.04 and MPEP §808.01, the Office concludes that the inventions of Groups I/V, II/IV, III/IV, III/V, and IV/V are unrelated. However, the Office has not provided sufficient reasons and/or examples to support this assertion. The Office has merely stated the conclusion. Accordingly, the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Accordingly, Applicants respectfully submit that the Restriction Requirement should be withdrawn.

Further, MPEP §803 states as follows:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on its merits, even though it includes claims to distinct or independent inventions.

Applicants submit that a search of all claims would not constitute a serious burden on the Office.

For the reasons set forth above, Applicants contend that the Restriction Requirement is improper and should be withdrawn.

Additionally, MPEP §821.04 states:

...if applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim will be rejoined.

Applicants respectfully submit that should the elected group be found allowable, non-elected process claims should be rejoined.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

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